117TH CONGRESS 1ST SESSION

H. R. 2355

AN ACT

- To facilitate responsible, informed dispensing of controlled substances and other prescribed medications, and for other purposes.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,

1 SECTION 1. SHORT TITLE.

- 2 This Act may be cited as the "Opioid Prescription
- 3 Verification Act of 2021".
- 4 SEC. 2. MATERIALS FOR TRAINING PHARMACISTS ON CER-
- 5 TAIN CIRCUMSTANCES UNDER WHICH A
- 6 PHARMACIST MAY DECLINE TO FILL A PRE-
- 7 SCRIPTION.
- 8 (a) Updates to Materials.—Section 3212(a) of
- 9 the SUPPORT for Patients and Communities Act (21
- 10 U.S.C. 829 note) is amended by striking "Not later than
- 11 1 year after the date of enactment of this Act, the Sec-
- 12 retary of Health and Human Services, in consultation with
- 13 the Administrator of the Drug Enforcement Administra-
- 14 tion, Commissioner of Food and Drugs, Director of the
- 15 Centers for Disease Control and Prevention, and Assistant
- 16 Secretary for Mental Health and Substance Use, shall de-
- 17 velop and disseminate" and inserting "The Secretary of
- 18 Health and Human Services, in consultation with the Ad-
- 19 ministrator of the Drug Enforcement Administration,
- 20 Commissioner of Food and Drugs, Director of the Centers
- 21 for Disease Control and Prevention, and Assistant Sec-
- 22 retary for Mental Health and Substance Use, shall develop
- 23 and disseminate not later than 1 year after the date of
- 24 enactment of this Act, and update periodically thereafter".

1 (b) Materials Included.—Section 3212(b) of the 2 SUPPORT for Patients and Communities Act (21 U.S.C. 3 829 note) is amended— 4 (1) by redesignating paragraphs (1) and (2) as 5 paragraphs (2) and (3), respectively; and 6 (2) by inserting before paragraph (2), as so re-7 designated, the following new paragraph: 8 "(1) pharmacists on how to verify the identity 9 of the patient;". 10 MATERIALS FOR TRAINING ONPATIENT Verification .—Section 3212 of the SUPPORT for Patients and Communities Act (21 U.S.C. 829 note) is 12 13 amended by adding at the end the following new sub-14 section: 15 "(d) Materials for Training on Verification OF IDENTITY.—Not later than 1 year after the date of 16 17 enactment of this subsection, the Secretary of Health and 18 Human Services, after seeking stakeholder input in ac-19 cordance with subsection (c), shall— 20 "(1) update the materials developed under sub-21 section (a) to include information for pharmacists on 22 how to verify the identity the patient; and 23 "(2) disseminate, as appropriate, the updated materials.". 24

1	SEC. 3. INCENTIVIZING STATES TO FACILITATE RESPON-						
2	SIBLE, INFORMED DISPENSING OF CON-						
3	TROLLED SUBSTANCES.						
4	(a) In General.—Section 392A of the Public						
5	Health Service Act (42 U.S.C. 280b-1) is amended—						
6	(1) by redesignating subsections (c) and (d) as						
7	subsections (d) and (e), respectively; and						
8	(2) by inserting after subsection (b) the fol-						
9	lowing new subsection:						
10	"(c) Preference.—In determining the amounts of						
11	grants awarded to States under subsections (a) and (b),						
12	the Director of the Centers for Disease Control and Pre-						
13	vention may give preference to States in accordance with						
14	such criteria as the Director may specify and may choose						
15	to give preference to States that—						
16	"(1) maintain a prescription drug monitoring						
17	program;						
18	"(2) require prescribers of controlled substances						
19	in schedule II, III, or IV to issue such prescriptions						
20	electronically, and make such requirement subject to						
21	exceptions in the cases listed in section 1860D-						
22	4(e)(7)(B) of the Social Security Act; and						
23	"(3) require dispensers of such controlled sub-						
24	stances to enter certain information about the pur-						
25	chase of such controlled substances into the respec-						

1	tive State's prescription drug monitoring program,					
2	including—					
3	"(A) the National Drug Code or, in the					
4	case of compounded medications, compound					
5	identifier;					
6	"(B) the quantity dispensed;					
7	"(C) the patient identifier; and					
8	"(D) the date filled.".					
9	(b) Definitions.—Subsection (d) of section 392A of					
10	the Public Health Service Act (42 U.S.C. 280b-1), as re-					
11	designated by subsection (a)(1), is amended to read as fol-					
12	lows:					
12 13	lows: "(d) Definitions.—In this section:					
13	"(d) Definitions.—In this section:					
13 14	"(d) Definitions.—In this section: "(1) Controlled Substance.—The term					
13 14 15	"(d) Definitions.—In this section: "(1) Controlled Substance.—The term 'controlled substance' has the meaning given that					
13 14 15 16	"(d) Definitions.—In this section: "(1) Controlled Substance.—The term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances					
13 14 15 16	"(d) Definitions.—In this section: "(1) Controlled Substance.—The term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act.					
113 114 115 116 117	"(d) Definitions.—In this section: "(1) Controlled Substance.—The term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act. "(2) Dispenser.—The term 'dispenser' means					
13 14 15 16 17 18	"(d) Definitions.—In this section: "(1) Controlled Substance.—The term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act. "(2) Dispenser.—The term 'dispenser' means a physician, pharmacist, or other person that dis-					

- 1 Indian Self-Determination and Education Assistance
- 2 Act.".

Passed the House of Representatives December 8, 2021.

Attest:

Clerk.

117TH CONGRESS H. R. 2355

AN ACT

To facilitate responsible, informed dispensing of controlled substances and other prescribed medications, and for other purposes.